

MAY - 4 2006

FAX TRANSMISSION

DATE: May 4, 2006

PTO IDENTIFIER: Application Number 10/630,555-Conf. #7477
Patent Number

Inventor: Kohei Miyazono et al.

MESSAGE TO: US Patent and Trademark Office and Examiner B. Hissong

FAX NUMBER: (571) 273-8300 and (571) 273-3324

FROM: FULBRIGHT & JAWORSKI L.L.P.

Norman D. Hanson

PHONE: (212) 318-3168

Attorney Dkt. #: NY-LUD 5298-US5-DIV (10309270)

PAGES (Including Cover Sheet): 5

CONTENTS: Letter Requesting Office Action be Vacated and a New Action Issue
Certificate of Transmission (1 page)*Copy of PA pages*

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (212) 318-3168 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

FULBRIGHT & JAWORSKI L.L.P.
666 Fifth Avenue, New York, New York 10103
Telephone: (212) 318-3000 Facsimile: (212) 318-3400

MAY - 4 2006

PTO/SB/97 (09-04)
Approved for use through 07/31/2006. OMB 0851-0031
U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/630,555

Attorney Docket No.: NY-LUD 5298-US5-DIV

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on 5/4/06
Date

Fani Malikouzakis

Signature

Fani Malikouzakis

Typed or printed name of person signing Certificate

Registration Number, if applicable

(212) 318-3220

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Letter Requesting Office Action be Vacated and a New Action Issue

RECEIVED
CENTRAL FAX CENTER

MAY - 4 2006

Docket No.: NY-LUD 5298-US5-DIV
(PATENT)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300 and Examiner Hissong at (571) 273-3324, on the date shown below.

Dated: 5/4/06

Signature:

Fani Malikouzakis
(Fani Malikouzakis)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kohei Miyazono et al.

Application No.: 10/630,555

Confirmation No.: 7477

Filed: July 30, 2003

Art Unit: 1646

For: ANTIBODIES WHICH BIND
SPECIFICALLY TO ACTIVIN RECEPTOR
LIKE KINASES

Examiner: B. D. Hissong

**LETTER REQUESTING OFFICE ACTION BE VACATED
AND A NEW ACTION ISSUE**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Office Action of April 9, 2006, required restriction amongst claims 1-31.

Claims 1-31 were CANCELLED in a Preliminary Amendment, filed concurrently with the application on July 30, 2003.

Only claims 32 and 33 are pending.

Review of PAIR indicates that the Preliminary Amendment should be of record. For convenience, a copy of the first page of the Preliminary Amendment and the pages presenting the claims are attached.

25652748.1

Application No. 10/630,555


Docket No.: NY-LUD 5298-US5-DIV

It is believed that a new Office Action is in order.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0624, under Order No. NY-LUD 5298-US5-DIV (10309270) from which the undersigned is authorized to draw.

Dated: May 4, 2006

Respectfully submitted,

By 
Norman D. Hanson
Registration No.: 30,946
FULBRIGHT & JAWORSKI L.L.P.
666 Fifth Avenue
New York, New York 10103
(212) 318-3000
(212) 318-3400 (Fax)
Attorney for Applicant

RECEIVED
CENTRAL FAX CENTER

MAY - 4 2006

LUD 52985 DIV

<u>CERTIFICATE OF EXPRESS MAIL</u>	
"Express Mail" mailing label #	<u>EV 331558129 US</u>
Date of Deposit	<u>7-30-03</u>
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and is addressed to the Commissioner of Patents, Mail Stop: Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450	
Name of Depositor:	<u>Fani Malikouzakis</u>
Signature of Depositor	<u>Fani Malikouzakis</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kohei MIYAZONO et al.
Serial Number : To be Assigned
Filing Date : Concurrently Herewith
Based on Application
Serial No. : 09/903,068
Filing Date : July 11, 2001
For : ANTIBODIES WHICH BIND SPECIFICALLY TO
ACTIVIN RECEPTOR LIKE KINASES

Mail Stop: Patent Applications
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 30, 2003

PRELIMINARY AMENDMENT

SIR:

Prior to examination, please amend this application as follows:

IN THE TITLE

Cancel the current title and replace by:

-- ANTIBODIES WHICH BIND SPECIFICALLY TO ACTIVIN
RECEPTOR LIKE KINASES --.

LUD 5298.4 DIV**IN THE SPECIFICATION**

Page 1, prior to "FIELD OF THE INVENTION", please add:

--RELATED APPLICATIONS

This application is a divisional of Application Serial No. 09/903,068, filed July 11, 2001, which is a divisional of Serial Number 09/679,197, filed October 3, 2000, now U.S. Patent No. 6,331,621, which is a divisional of application Serial No. 08/436,265, filed October 30, 1995, now U.S. Patent No. 6,316,217, which was filed pursuant to 35 U.S.C. § 371 based upon PCT/GB93/02367, which was filed on November 17, 1993.--

IN THE SEQUENCE LISTING

Please transfer the computer readable form of sequence information filed in Serial No. 09/903,068 on July 11, 2001. A paper copy is appended hereto. The undersigned hereby declares that, to the best of his knowledge, the paper copy and computer readable forms of sequence information are identical to each other and to information set forth in the application as filed. No new matter is believed presented.

IN THE CLAIMS

Claims 1-31 (canceled) without prejudice.

32. (New) An isolated antibody which binds specifically to a human protein having activin like kinase activity which is encoded by a nucleic acid molecule consisting of a nucleotide sequence, the complementary sequence of which hybridizes to the nucleotide sequence of SEQ ID NO: 1, at 0.5x55°C, 0.1% SDS at 55°C, 5xSSC, 0.1% SDS, followed by two 15 minute washes.
33. (New) The isolated antibody of claim 32, which binds specifically to an epitope by amino acids 145-166 of SEQ ID NO: 2.